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DOUBLE PATENTING REJECTION OVER A PENDING
SECOND APPLICATION**

Docket Number (Optional)

P-0800(O)-2

In re Application of: **Rudolf E. Falk and Samuel S. Asculai**

Application No. **08/462,148**

Filed: **June 5, 1995**

For: **TREATMENT OF CONDITIONS AND DISEASE**

The owner*, **Hyal Pharmaceutical Corporation** of **100** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer of prior **Patent Application Serial No. 07/838,675, now United States Patent No. 5,639,738 and Patent Application Serial No. 08/018,508, filed on February 17, 1993.** The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.

Signature

Apr. 20/98

Date

Marcelo K. Sarkis
Registration No. 37,015

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☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

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